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PATENT 2801-0202P

#### IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

J.H.M. SCHELLENS et al. Conf.:

8475

Appl. No.:

09/988,285

Group:

1614

Filed:

November 19, 2001

Examiner: WEDDINGTON, K.E.

For:

A METHOD OF IMPROVING BIOAVAILABILITY OF ORALLY ADMINISTERED DRUGS, A METHOD

OF SCREENING FOR ENHANCERS OF SUCH

BIOAVAILABILITY AND NOVEL

PHARMACEUTICAL COMPOSITIONS FOR ORAL

DELIVERY OF DRUGS

#### INFORMATION DISCLOSURE STATEMENT

(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

May 3, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

### I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

### II. <u>COPIES</u> (check at least one box)

- a. 

  Copies of cited U.S. patents and patent application publications are not included. 

  Copies of foreign patent documents and non-patent literature are included.
- b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should

already be in the PTO file. If copies are needed, please contact the undersigned.

## III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

#### a. DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

#### b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

#### C. MENGLISH LANGUAGE SEARCH REPORT

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

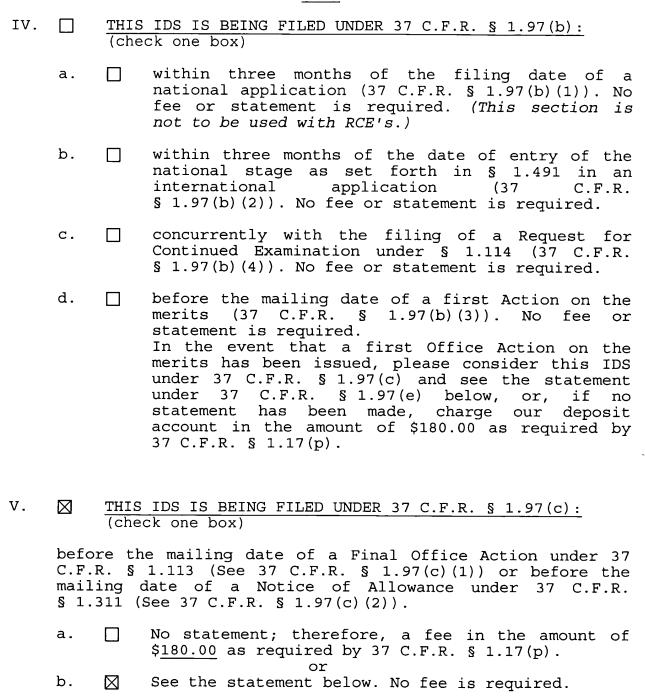
#### d. 🛛 OTHER

The following additional information is provided for the Examiner's consideration.

WO 99/12570A corresponds to US 6,469,022 B1, which was cited in the Information Disclosure Statement filed on December 18, 2003.

WO 92/12132A was also cited in the Information Disclosure Statement filed on December 18, 2003.

#### **FEES**



#### STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box) The undersigned hereby states that a. П each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or each item of information contained in the IDS was b. first cited in any communication from a foreign Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or no item of information contained in the IDS was c. cited in a communication from a foreign Patent Office in a counterpart foreign application, and, the knowledge of the person signing the certification after making reasonable inquiry, no IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS. d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any

statement.

individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this

VII. PAYMENT OF FI	EES (check one box)
☐ A check C.F.R. fee.	in the amount of $$180.00$ as required by 37 $$1.17(p)$ is enclosed for the above-identified
amount	charge Deposit Account No. 02-2448 in the required by 37 C.F.R. § 1.17(p) for the above-ed fee. This paper is submitted in triplicate.
No fee :	is required.
he/she is reques determined that t the PTO is reques	niner has any questions concerning this IDS, sted to contact the undersigned. If it is this IDS has been filed under the wrong rule, ted to consider this IDS under the proper rule propriate fee to Deposit Account No. 02-2448.
this, concurrent, credit any overpa additional fees re	y, the Commissioner is hereby authorized in and future replies, to charge payment or ayment to Deposit Account No. 02-2448 for any equired under 37 C.F.R. § 1.16 or under § 1.17; ension of time fees.
	Respectfully submitted,
	BIRCH, STEWART, KOLASCH & BIRCH, LLP
	By Gard Mold #43575  Gerald M. Murphy, Jr., #28,977
GMM/GMD/mua 2801-0202P	P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000
Attachment(s): 🛛	PTO-1449
$\boxtimes$	Documents
	Foreign Search Report
	Fee
	Other:

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Form PTO-1449

# INFORMATION DISCLOSURE O CITATION

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APPLICATION NO. 09/988,285

APPLICANT

EXAMINER I	(Use several sheet			FILING DATE		J.H.M. SCHELLENS et al.					
EXAMINER INITIAL I			7	November 19,	2001	GROUP 1614					
EXAMINER I		Kind	S. PATENT	DOCUMENTS							
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